

# **EXHIBIT B**

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10 UNITED STATES DISTRICT COURT

11 NORTHERN DISTRICT OF CALIFORNIA

12 SAN FRANCISCO DIVISION

13 WAYMO LLC,

14 Plaintiff,

15 vs.

16 UBER TECHNOLOGIES, INC. and  
17 OTTOMOTTO LLC,

18 Defendants.

CASE NO. 3:17-cv-00939

**WAYMO'S STATEMENT OF THE CASE**

Judge: The Honorable William Alsup

Trial Date: February 5, 2018

Pursuant to Paragraph 8 of the Court’s Guidelines for Trial and Final Pretrial Conference in Civil Jury Cases (last revised May 8, 2017), Plaintiff Waymo LLC provides the following statement of the case to be read to the jury during voir dire:

**STATEMENT OF THE CASE**

This is a case about trade secrets relating to self-driving car technology. The plaintiff, the entity that brought this case, is Waymo LLC. Waymo is a subsidiary of Google’s parent company, Alphabet Inc. During this trial, Waymo may sometimes be referred to as “Google,” and the self-driving car project at Google as “Project Chauffeur” or “Chauffeur.” The defendants in this case are Uber Technologies, Inc. and Ottomotto LLC. During this trial, Ottomotto may sometimes be referred to as “Otto.”

Waymo asserts that it owns eight separate trade secrets relating to something called LiDAR, which is technology that is used in some self-driving vehicles. Waymo accuses Uber and Ottomotto of misappropriating those eight Waymo trade secrets. Waymo asserts that Uber and Ottomotto’s misappropriation of its trade secrets damaged Waymo and caused Uber and Ottomotto to be unjustly enriched. Waymo also claims that Uber and Ottomotto misappropriated its trade secrets willfully and maliciously.

Uber and Ottomotto deny Waymo’s claims. Uber and Ottomotto deny that any of Waymo’s claimed trade secrets are actual trade secrets. Uber and Ottomotto also deny that they misappropriated any of the claimed trade secrets. Uber and Ottomotto further deny that Waymo was damaged or that Uber or Ottomotto were unjustly enriched.

To be clear, the claims and defenses just described merely summarize the parties’ arguments—the parties themselves will explain their positions at trial and the evidence presented will provide the facts.

***[The following paragraph is patterned after the Court’s Statement of the Case read to the jury during voir dire in Oracle America, Inc. v. Google Inc., Case No. 3:10-cv-03561-WHA.]***

Your job at the end of this case will be to decide a number of questions regarding the parties’ claims and defenses. First, you will decide whether Waymo’s claimed trade secrets are enforceable and whether Uber and Ottomotto are liable for misappropriating those claimed trade

1 secrets. Then, if you find Uber and/or Ottomotto liable for misappropriation, you will decide the  
2 damages that Waymo should be awarded and you will decide whether the misappropriation was  
3 willful and malicious. Again this is only a summary, you will be instructed on the specific  
4 questions you should address at the end of the parties' presentations.  
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6 DATED: January 29, 2018

QUINN EMANUEL URQUHART & SULLIVAN, LLP

7  
8 By /s/ Charles K. Verhoeven

9 Charles K. Verhoeven

10 Attorneys for WAYMO LLC  
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